

## Latham, John

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**From:** Latham, John  
**Sent:** Wednesday, January 17, 2018 3:40 PM  
**To:** Colangelo, Aaron  
**Cc:** Sherlock, Scott; Moose, Lindsay  
**Subject:** RE: EPA-HQ-2018-003098 - Request Clarification

Hi Aaron,

I tried to reach you by phone today. Your voicemail mentioned you will be out of the office until Monday. Are you available next Tuesday to discuss your request? We seek to clarify part two of your FOIA request.

Best regards,  
John Latham Jr.  
Environmental Protection Agency  
OCSPP/OPPT/EAD/OB (7408M)  
1200 Pennsylvania Ave NW  
Washington, DC 20460  
Ph: 202-564-6754  
Fax: 202-564-8197

**From:** Colangelo, Aaron [mailto:[acolangelo@nrdc.org](mailto:acolangelo@nrdc.org)]  
**Sent:** Thursday, January 11, 2018 4:15 PM  
**To:** Latham, John <[Latham.John@epa.gov](mailto:Latham.John@epa.gov)>  
**Subject:** RE: EPA-HQ-2018-003098 - Request Clarification

Hi John, I'm more than happy to talk. I don't agree that the request is vague, and I'm not willing to consent to an extension of the statutory deadline for production, but I'm happy to discuss the request with you. Please call me whenever you like – my number is 202-289-2376. Thanks – Aaron

**From:** [latham.john@epa.gov](mailto:latham.john@epa.gov) [mailto:[latham.john@epa.gov](mailto:latham.john@epa.gov)]  
**Sent:** Thursday, January 11, 2018 4:08 PM  
**To:** Colangelo, Aaron <[acolangelo@nrdc.org](mailto:acolangelo@nrdc.org)>  
**Subject:** EPA-HQ-2018-003098 - Request Clarification

Re: Freedom of Information Act Request No. EPA-HQ-2018-003098

Dear Mr. Colangelo:

Thank you for your Freedom of Information Act request. This letter concerns the above-referenced Freedom of Information Act (FOIA) request, received by the U.S. Environmental Protection Agency (EPA) on January 5, 2018, in which you requested

Please produce the following records in EPA's possession, custody, or control: (1) All communications to or from Michael Dourson, former nominee to become Assistant Administrator of the Office of Chemical Safety and Pollution Prevention, regarding methylene chloride, N-methylpyrrolidone, and/or trichloroethylene, from January 20, 2017 to the present; and (2) All records relating to Michael Dourson's involvement in EPA's evaluation of methylene chloride, N-methylpyrrolidone, and/or trichloroethylene, from January 20, 2017 to the present, including, but not limited to, records related to Mr. Dourson's involvement in EPA's recent decision to postpone bans on certain uses of methylene chloride, N-methylpyrrolidone, and/or trichloroethylene.

Your request is too broad to be completed within 20 days and/or does not reasonably describe the records you are seeking in a way that will permit EPA employees to identify and locate them.

For example, we would like to discuss the types of records you are interested in, and the possible locations of these records. All communications relating to Michael Dourson's in EPA's evaluation of methylene chloride, N-methylpyrrolidone, and/or trichloroethylene is too vague and we would like to further understand the specific subject matter of the records so that we are able to craft a search and provide you with the records you seek.

EPA's FOIA regulations state:

"Whenever possible, your request should include specific information about each record sought, such as the date, title or name, author, recipient, and subject matter. If known, you should include any file designations or descriptions for the records that you want. The more specific you are about the records or type of records that you want, the more likely EPA will be able to identify and locate records responsive to your request."  
40 C.F.R. § 2.102(c).

We would like to provide you the opportunity to discuss the request with us and clarify the records that you are seeking so that EPA can process your request. As indicated in 40 C.F.R. § 2.102(c), please include or be prepared to discuss any specific information about the records you seek, including time, period, authors, or a more detailed description of the records' subject matter.

Please contact me via email at [latham.john@epa.gov](mailto:latham.john@epa.gov) with your clarification or I can be reached at (202) 564-6754 if you have any questions concerning this letter. If we do not hear back from you by February 26, 2018, we will administratively close your request.

Best regards,

John Latham Jr.

